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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,810	08/23/2000	Gwilym J Tilsley	540-227	4178

7590 06/18/2003  
Nixon & Vanderhye  
8th Floor  
1100 North Glebe Road  
Arlington, VA 22201-4714

EXAMINER

PATEL, SHEFALI D

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 06/18/2003

1

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/622,810

Applicant(s)

TILSLEY, GWILYM J

Examiner

Shefali d Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/23/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

Figure 1:  $\alpha$ ,  $\beta$ ,  $\delta$ ,  $\tilde{x}$ ,  $\tilde{y}$ , 20, 22, C1 and C2

Figure 2: 36

Figure 3: 76, 78, 80 and 82

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because the box elements in Figure 3 need to be labeled in accordance with 37 C.F.R. § 1.83(a) as stated infra. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specifically, 37 C.F.R. § 1.83(a) states that “the drawing in a nonprovisional application must show every feature of the invention specified in the claims. However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box).”

### *Specification*

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

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4. The disclosure is objected to because of the following informalities: according to Figure 1: on page 4 line 13, "image processing means 6" should be "image processing means 8" and on page 9 line 4 "image processing means 6" should be "analysis means 6" should be "analysis means 14."

Appropriate correction is required.

***Claim Objections***

5. Claim 1 is objected to because of the following informalities: Claim 1 has an extra term of "image analysis means" at lines 5-6. Please delete these terms. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 1 recites the limitation "scene processing means" and "scene analysis means" in claim 1 lines 9-10. There is insufficient antecedent basis for this limitation in the claim.

8. Claim 4 recites the limitation "said first and second imaging means" in claim 4 lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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10. Claims 1-5 rejected under 35 U.S.C. 102(b) as being anticipated by Aviv (USPN 5,666,157).

With regards to **claim 1** Aviv discloses a surveillance system comprising imaging means (column 4 line 20, picture means 10), said imaging means being positioned so as to have a field of view of an area over which surveillance is required (column 4 lines 26-28), image processing means, (column 4 lines 55-56, image processing means 12) said image processing means being programmable such that an operator can pre-determine the events which activate use of image analysis means (the pre-determine events are: 1. "two on one" at column 4 line 66, two person approaching one person from front and behind, column 5 lines 1-7; 2. "concerned and curious" at column 8 lines 7-11 when two people are moving closer together; 3. "suspicious actions" at column 10 line 1 when an "expressions" made by a car-jacker are being recorded and transmitted column 9 lines 58-61.). Note that it is inherent that an operator would be available to determine the events, which activate use of image analysis means. Aviv further discloses image analysis means (Aviv: image raster analyzer in processing means 12 at column 4 line 60), said image analysis means utilizing processing means to determine suitable control function responses to events viewed by said imaging means (suitable control function to each event stated above, respectively, are: 1. segment the image and determine the movement at column 5 lines 4-7 and lines 64-67; 2. sampling rate is being increased and entire system is activated to determine the intent of the actions at column 8 lines 12-18; 3. video picture is recorded of a car-jacker and transmitted via a cell phone at column 9 lines 60-65.), and a system control means (column 7 lines 16, controller 18), said system control means providing general control functions to said imaging means, processing means, and analysis means (note, control means 18 is providing

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control functions to the imaging, processing and analysis means as seen in figure 1 and also at column 7 lines 16-19).

Regarding **claim 2**, Aviv discloses first imaging means 10 and second imaging means 20 as seen in Figure 1, said second imaging means having the ability to provide more detailed information in relation to a partial section of the view of said first imaging means at column 7 lines 26-29.

With regards to **claim 3**, Aviv discloses a plurality of said surveillance systems that are so positioned in relation to an area which is to be subjected to surveillance, that the combination of the fields of view said imaging systems provides for the ability to follow the progress of event moving or developing within the field of view of the plurality of said imaging means at column 6 lines 45-51. Here number of imaging means distributed over number of facilities (having combination of the field of view) providing the ability to follow the progress on one monitor.

With regards to **claim 4**, Aviv discloses first and second imaging means movable in response to commands from a central system control means at column 7 lines 16-22. Note, controller 18 is controlling both picture means 10 and 20. Imaging means 20 is controlled directly by 18 and imaging means 10 is controlled thru controller 28.

With regards to **claim 5** Aviv discloses image analysis means comprising an artificial intelligence (AI) means at column 4 lines 57-58. Here, processing means comprises AI means and processing means included image analysis means as stated in claim 1, hence, image analysis means comprises AI.

***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


USPN 4,740,839 – Surveillance system that requires no mechanical motion has an operator who has a controller connected to the device at column 1 lines 30-35.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shefali d Patel whose telephone number is 703-306-4182. The examiner can normally be reached on M-F 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on 703-305-4706. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Shefali Patel  
June 12, 2003

  
LEO BOUDREAU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600